

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 20, 2009

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB1641 by Harris (Relating to certain construction liens under the Texas Residential Construction Commission Act; providing civil penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Property Code to allow a contractor to amend a contract that does not contain certain required provisions to avoid additional civil penalties. The bill would establish a civil penalty of not less than \$100 or more than \$500 for each violation not to exceed an aggregate amount of \$5,000 if a contractor fails to include the required provisions in a contract. The bill would authorize the Attorney General to bring suit to recover the penalty under the provisions of the bill.

Based on the analysis of the Attorney General's office, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 370 Residential Construction Commission

LBB Staff: JOB, JRO, TG